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DOCKET NO.: AM100299 CON/WYNC-0677

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Adam M. Gilbert and Gary P. Stack

Confirmation No.: 3576

Application No.: 10/663,533

Group Art Unit: 1625

Filing Date: September 16, 2003

Examiner: Evelyn M. Huang

For: 8-AZA-BICYCLO[3.2.1]OCTAN-3-OL DERIVATIVE OF 2,3-DIHYDRO-1,4-BENZODIOXAN AS 5-HT 1A ANTAGONISTS

EXPRESS MAIL LABEL NO: EV 325726300
DATE OF DEPOSIT: February 9, 2005

EV325726300US

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **September 21, 2004** finally rejecting claims **26, 33-52** of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of September 21, 2004 to and through February 21, 2005 comprising an extension of the shortened statutory period of 2 months.

02/11/2005 MAHMED1 00000018 10663533

01 FC:1401 500.00 OP

02/11/2005 MAHMED1 00000018 10663533

02 FC:1252 450.00 OP

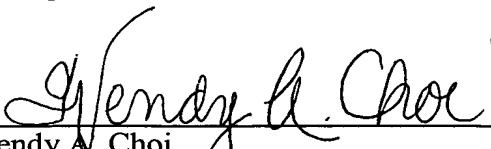
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37 CFR § 1.116

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$200	\$	\$500	\$500
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$0
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$450
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$0)
TOTAL FEE DUE		\$0		\$950

- ☒ A check in the amount of **\$950.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$.00 . This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date: February 9, 2005


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